

AGENDA RESERVATION REQUEST

CITY OF FRANKLIN COMMON COUNCIL

Please type or print

Date Submitted:	5-11-16	Meeting Date:	5-16-16
Contact Information:			
Requested by:	Krista Linke		
On Behalf of Organization or Individual: Economic Development Commission			
Telephone:	317-736-3631		
Email address:	klinke@franklin.in.gov		
Mailing Address:	70 E. Monroe St., Franklin, IN 46131		
Describe Request:			
Tax Abatement Waiver of Non-Compliance for Hetsco, Inc.			
List Supporting Documentation Provided:			
Memo to City Council			
Resolution 2016-11			
Who will present the request?			
Name:	Krista Linke	Telephone:	317-736-3631

The Franklin City Council meets on the 1st and 3rd Monday of each month at 6:00 p.m. in the Council Chambers of City Hall located at 70 E. Monroe Street. In order for an individual and/or agency to be considered for new business on the agenda, this reservation form and supporting documents must be received in the Mayor's office no later than 12:00 p.m. on the Wednesday before the meeting.



CITY OF FRANKLIN

COMMUNITY DEVELOPMENT DEPARTMENT

Memorandum

To: City Council
From: Krista Linke, Director
Date: May 5, 2016
Re: Hetsco – Request for Waiver of Non-Compliance

In 2014 Hetsco, Inc. was granted a ten-year real property tax abatement and a five-year personal property tax abatement through Resolution 2014-09. Since the approval, Hetsco has submitted the yearly compliance reports in a timely manner and they have been approved. Upon receiving their tax bill this year for 2015, they noticed they had not received the tax abatement deductions. After talking to the Johnson County Auditor and Assessor's offices, they were informed they needed to file Forms 322 RE and 103 ERA for the real and personal property tax deductions. They did not know they were required to file this form with the county.

Therefore, Hetsco will have to pay the taxes in full. The remedy to this situation is for the City of Franklin to pass a waiver of non-compliance for the failure to fill out the required county forms. It is my understanding from the county, that once the waiver of non-compliance is granted, a credit will be given on the fall taxes. Resolution 2016-11 is attached for this purpose.

If you have any questions regarding this request, please contact me directly at 346-1250.

CITY OF FRANKLIN, INDIANA

RESOLUTION NO. 2016-11

**A RESOLUTION WAIVING NON-COMPLIANCE WITH
TAX ABATEMENT COMPLIANCE REQUIREMENTS BY
HETSCO, INC.**

WHEREAS, the Common Council of the City of Franklin, Indiana (the "Council") granted a ten (10) year tax abatement on real property and a five (5) year tax abatement on personal property to Hetsco, Inc. through Resolution 2014-09;

WHEREAS, due to a clerical error, Hetsco, Inc. failed to timely file Form 322 ("Application for Deduction from Assessed Valuation of Structures in Economic Development Areas") with the Auditor of Johnson County, Indiana; and

WHEREAS, due to a clerical error, Hetsco, Inc. failed to timely file Form 103 ERA ("Schedule of Deduction from Assessed Valuation Personal Property in Economic Revitalization Area") with the Assessor of Johnson County, Indiana; and

WHEREAS, pursuant to Indiana Code Section 6-1.1-12.1-11.3(a)(5), the Council finds that this non-compliance should be waived.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Franklin, Indiana, as follows:

1. Waiver of Non-Compliance: Hetsco Inc.'s non-compliance with its tax abatement filing requirements should be waived.
2. Effective Date: This Resolution shall be in full force and effect from and after its passage by the Council and approval by the Mayor as required by law.

Introduced and Filed on this ____ day of _____, _____.

DULY PASSED on this ____ day of _____, _____, by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote of _____ in Favor and _____ Opposed.

City of Franklin, Indiana, By its Common Council:

Voting Affirmative:

Voting Opposed:

Stephen Barnett, Council President

Stephen Barnett, Council President

Kenneth W. Austin, Vice President

Kenneth W. Austin, Vice President

Joseph P. Abban

Joseph P. Abban

Joseph R. Ault

Joseph R. Ault

Andrew Eggers

Andrew Eggers

Keith Fox

Keith Fox

Richard L. Wertz

Richard L. Wertz

Attest:

Jayne Rhoades
City Clerk-Treasurer

Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to
Indiana Code § 36-4-6-15, 16, this this _____ day of _____,
_____ at 6:00 o'clock a.m./p.m.

Jayne Rhoades
City Clerk-Treasurer

This ordinance having been passed by the legislative body and presented to me [Approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)] [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2)], this this _____ day of _____, _____ at 6:00 o'clock a.m./p.m.

Joseph E. McGuinness
Mayor

Attest:

Jayne Rhoades
City Clerk-Treasurer

Prepared by: Krista M. Linke, Director of Community Development